

ATTORNEY DOCKET NO. 23101.0003U1

AF#
1632
CC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

CANTRELL *et al.*

Serial No. 09/784,575

Filed: February 15, 2001

For: "IN OVO ACTIVATION OF AN EGG
IN THE SHELL"

MAR 01 2004

Group Art Unit: 1632

Examiner: Wilson, Michael C.

Confirmation No. 1832

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer No. 23859

February 20, 2004

Dear Sir:

Applicants hereby appeal under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 26, 2003, finally rejecting claims 59-80. Claims 1-58 and 81-87 were withdrawn in response to a Restriction Requirement as being drawn to a nonelected invention.

The item(s) checked below are appropriate:

1. ☒ A three-month extension of time to respond to the final rejection:
 - (a) ☐ was obtained on for month(s).
 - (b) ☒ is requested herewith under 37 C.F.R. 1.136.

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U.S. APPLICATION NO. 09/784,575

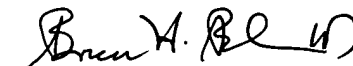
2. Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$640.00 to cover the following fees is enclosed herewith:

- [x] Appeal fee amount pursuant to 37 C.F.R. §1.191 and 37 C.F.R. §1.17(b) = \$165.00.
- [x] Extension of time fee amount = \$475.00
- (a) [x] enclosed.
- (b) [] Charge to Deposit Account No. 14-0629.
(ADDITIONAL COPY OF THIS NOTICE IS ENCLOSED
HEREWITH).

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

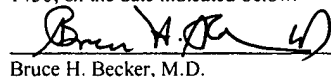


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CERTIFICATE OF MAILING UNDER 37. C.F.R. 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.


Bruce H. Becker, M.D.

2/20/04
Date